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Sen. Vi Simpson



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LSA Staff:

Tim Tyler, Attorney for the Council
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ENVIRONMENTAL QUALITY SERVICE COUNCIL

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SUBCOMMITTEE MEETING SUMMARY

Meeting Date: August 6, 1998
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 156-A
Meeting City: Indianapolis, Indiana
Meeting Number: 3

Members Present: Sen. Vi Simpson; Max Goodwin.

Members Absent: Sen. Glenn Howard; Alice Schloss.

IDEM STAFFING

Dawnya Taylor, Director of the Office of Human Resources Management of the Indiana Department of Environmental Management (IDEM), distributed an Environmental Management Permit Fund Analysis Report¹ to Subcommittee members. The report indicated a cash balance in the Fund of \$13,056,274 as of July 1, 1997, and revenue of \$16,442,849 between July 1, 1997, and April 30, 1998. Minus expenses and other obligations, the available cash balance on April 30, 1998, was \$9,339,516. (This cash balance included \$5,226,599 associated with the Water Management permit program, \$2,750,604 associated with the Solid Waste Management program, and \$1,362,313

¹A copy of the report is on file in the Legislative Information Center, Room 230 of the State House, Indianapolis, Indiana. The telephone number of the Legislative Information Center is (317) 232-9856, and the mailing address is 200 W. Washington St., Suite 301, Indianapolis, Indiana 46204-2789.

associated with the Hazardous Waste Management permit program.)

Subcommittee members questioned whether State General Fund money was included as part of Fund revenues. Ms. Taylor indicated she would check into this matter and report back to the Subcommittee.

Blake Jeffery with the Indiana Manufacturers Association questioned whether IDEM needed to collect as much money as they do under the Water Management permit program. He said that if the money is collected "it should not just lay there." Senator Simpson said that the permit fees were being used to support IDEM water programs.

Ms. Taylor also distributed a document² comparing the minimum qualifications and entry level salaries of various state government scientific and technical positions in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin. The document also included a memorandum concerning IDEM attorney turnover rates and an Office of Environmental Adjudication position allocation list.

The Subcommittee then discussed a draft³ of the Subcommittee's proposed recommendations to the full Environmental Quality Service Council. Senator Simpson asked staff to rewrite the draft with the suggested Subcommittee changes for the Subcommittee to approve at its next meeting.

The next person to testify was Jeff Symmes from Tippecanoe County. Mr. Symmes stated he had worked as an investigator for the General Accounting Office, Federal Bureau of Investigation, and the Environmental Protection Agency (EPA). He said he had been investigating IDEM for several years.

Mr. Symmes said IDEM was "dysfunctional" but employees were afraid to come forward and "blow the whistle." He also said he felt the Subcommittee members had no idea what IDEM actually does. He stated the EPA may remove several programs from IDEM's jurisdiction because IDEM was not capable of properly operating the programs.

Mr. Symmes continued by stating that IDEM and several large Indianapolis law firms were engaged in "fraud and conspiracy" against the citizens of Indiana. He said IDEM Commissioner John Hamilton was involved in this fraud and conspiracy and should be removed as soon as possible for not protecting the citizens of Indiana.

Mr. Symmes also stated that taxpayers of Tippecanoe County were being forced to pay for the cleanup of a federal Superfund site instead of the polluters due to recent rulings by the Indiana appellate courts. Senator Simpson indicated she would look into this matter.

²A copy of this document is on file in the Legislative Information Center (see footnote 1).

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The next person to testify was Dorothy Alabach from Valparaiso. She said that IDEM was a "fraud and farce." She said IDEM should be closed because it was only used to "legally fast-track" affairs of special interest groups.

Ms. Alabach also said a "citizen ombudsmen" should be selected by victims of toxic Superfund landfills to represent those victims. She said she agreed with Mr. Symmes' comments regarding IDEM and large Indianapolis law firms.

Ms. Alabach said that EPA Region V also could not be trusted. She said that "government of, by, and for the people is a fraud."

Ms. Alabach said IDEM had not been competent since it was "hatched" in 1986. She said IDEM had never been adequately staffed or funded. She said IDEM must function or close down.

Senator Simpson stated that the next IDEM Staffing Subcommittee would be held August 19 at 10:00 A.M.